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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/079,709	
	Filing Date	February 19, 2002	
	First Named Inventor	Robert VAN GORCOM	
	Group Art Unit	1652	
	Examiner Name	To be assigned	
Total Number Of Pages In This Submission	6	Attorney Docket No.	246152002603

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ENCLOSURES (check all that apply)			TECH CENTER 1600/2900
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Irina E. Britva, Registration No. 50,498 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500; San Diego, California 92130-2332
Signature	
Date	August 5, 2002

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PATENT  
Docket No. 246152002603

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Jose Luna

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert VAN GORCOM, et al.

Serial No.: 10/079,709

Filing Date: February 19, 2002

For: CLONING AND EXPRESSION OF  
MICROBIAL PHYTASE

Examiner: To be assigned

Group Art Unit: 1652

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INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents  
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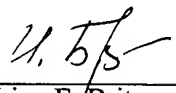
Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/233,510, filed January 20, 1999, now issued as U.S. Patent No. 6,350,602, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. § 1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 246152002603. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 5, 2002

Respectfully submitted,

By:   
Irina E. Britva  
Registration No. 50,498

Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5175  
Facsimile: (858) 720-5125

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Sheet 1 of 2

<b>Form PTO/A 449</b> <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 246152002603	Application Number 10/079,709
	Applicant Robert VAN GORCOM, et al.	
	Filing Date February 19, 2002	Group Art Unit 1652
	Mailing Date August 6, 2002	

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**U.S. PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/1967	3,297,548	Ware et al.	435	196	
	2.	07/1995	5,436,156	Van Gorcom et al.	435	252.3	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	3.	10/1988	0 287 152	EP			
	4.	06/1986	0 321 004	EP			

**OTHER DOCUMENTS**

*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	5.	Cosgrove. "Inositol Phosphate Phosphatases of Microbiological Origin. Inositol Phosphate Intermediates in the Dephosphorylation of the Hexaphosphates of Myo-Inositol, Scyllo-Inositol, and D-Chiro-Inositol by a Bacterial (Pseudomonas Sp.) Phytase" Aust. J. Biol. Sci. 23:1207-1220 (1970)
	6.	Graf, (Ed.) <u>Phytic Acid: Chemistry and Applications</u> Pilatus Press, Minneapolis, MN Chapter 2 pp.23-42 (1986)
	7.	Han. "Use of Microbial Phytase in Improving the Feed Quality of Soya Bean Meal" Animal Feed Sci. & Technology 24:345-350 (1989)
	8.	Mullaney et al. Filamentous Conference (April 1987) Pacific Grove, California (poster presentation) 15 pages total
	9.	Mullaney et al. "Positive Identification of a Lambda gt11 Clone Containing a Region of Fungal Phytase Gene by Immunoprobe and Sequence Verification" Appl. Microbiol. Biotechnol. 35:611-614 (1991)
	10.	Nayini et al. "The Phytase of Yeast" Lebensmittel Wissenschaft und Technologie 17:24-26 (1984)
	11.	Nelson et al. "Effect of Supplemental Phytase on the Utilization of Phytate Phosphorus by Chicks" J. Nutrition 101:1289-1294 (1971)
	12.	Powar et al. "Purification and Properties of Phytate-Specific Phosphatase from <i>Bacillus subtilis</i> " J. Bacteriol. 151:1102-1108 (1982)

EXAMINER:

DATE CONSIDERED:

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Form PTO-1449

Docket Number 246152002603

Application Number 10/079,709

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Robert VAN GORCOM, et al.

Filing Date February 19, 2002

Group Art Unit 1652

Mailing Date August 6, 2002

- |     |  |
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| 13. | Product Information Brochure published by Alko Ltd., entitled "Finase <sup>TM</sup> Enzymes by Alko" Rajamaki, Finland, 4 pages total (undated)                  |
| 14. | Samson et al. Nature 318:191-194 (1985)  |
| 15. | Ullah. Enzyme and Engineering Conference IX, October 4-8, 1987 Santa Barbara, California (poster presentation) 2 pages total.                                    |
| 16. | Ullah et al. "Extracellular Phytase (E.C. 3.1.3.8) from Aspergillus Ficum NRRL 3135: Purification and Characterization" Preparative Biochem. 17(1):63-91 (1987)  |
| 17. | Ullah "Aspergillus Ficum Phytase: Partial Primary Structure, Substrate Selectivity, and Kinetic Characterization" Preparatory Biochem. 18(4):459-471 (1988)      |
| 18. | Ullah. "Production, Rapid Purification and Catalytic Characterization of Extracellular Phytase from Aspergillus Ficum" Preparative Biochem. 18(4):443-458 (1988) |
| 19. | Yamada et al. "Phytase from Aspergillus terreus" Agr. Biol. Chem. 32(10):1275-1282 (1968)  |

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